

Appl. No. 09/501,876
Amendment dated May 2, 2005
Reply to Office Action of January 31, 2005

REMARKS

Applicants have received and reviewed an Office Action dated January 31, 2005. By way of response, Applicants have canceled claims 1-9, 11, 13-19, 21-27, 29, 50-51, and 53-76 without prejudice and added claims 77-97. No new matter is presented. Applicants submit the newly presented claims are supported by the specification including the original claims.

For the reasons given below, Applicants submit the newly presented claims are in condition for allowance and notification to that effect is earnestly solicited.

New Claims

Applicants have added claims 77-97. Independent claims 77, 83, and 89 recite a method of use of a composition and a composition whose pH is controlled and/or buffered at a pH of 5.5 to 7. This recitation finds support in the specification at least at page 7, line 30. These claims also recite that the combination of pH, dye, and chlorine in the composition produces dye-color in the liquid composition that fades to absence of dye-color over 3-18 hours. This recitation finds support in the specification at least at page 8, lines 10-16, and page 32, Examples 10-12.

Claims 78-79 and 85-86 recite a "third sink" vessel wherein the liquid composition loses dye-color within about "3 to 6 hours." Support for these claims is found in the claims as originally filed, and in the specification at least at page 31, Examples 6-9.

Claims 80-81 and 87-88 recite a "spray bottle" vessel wherein the liquid composition loses dye-color within about 3-18 hours. Support for this recitation is found in the specification at least at page 32, Examples 10-12, and in the claims as originally filed.

Claims 82, 84, and 90 recite an encapsulated form of chlorine. These recitations find support in the claims as originally filed.

Claims 91-97 recite various compositions, and are supported in the specification at least at page 31, Examples 6-9, and page 32, Examples 10-12.

Claim Rejections

The Examiner rejected claims 1-5, 7, 8, 19, 21, 22, 25-27, 50, 51, 55, 56, and 59-76 under 35 U.S.C. § 103(a) as obvious over Holdt et al. (US 4,683,072) in view of Kitko et al. (US 4,248,827). The Examiner rejected claims 6, 9, 11, 13-18, 23, 24, 29, 53, 54, 57, and 58 under

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35 U.S.C. § 103 (a) as obvious over Holdt et al. and Kitko et al. as applied above, and further in view of Gladfelter et al. (US 5,258,653). Although these rejections have not been applied to the newly presented claims, they are discussed insofar as they might apply. Applicants respectfully traverse these rejections.

Applicants have canceled claims 1-9, 11, 13-19, 21-27, 29, 50-51, and 53-76. Thus, the Examiner's rejections are moot. In addition, the presently claimed invention recited in the new claims is not obvious in light of these references for several reasons, as discussed below.

The new claims recite a composition whose pH is controlled and/or buffered at a pH of 5.5 to 7. Further, the combination of pH, dye, and chlorine in the composition produces dye-color in the liquid composition that fades to absence of dye-color over 3-18 hours. A slightly acidic environment is preferred because Applicants found that "the amount of dye needed for acid based sanitizer materials is roughly 10% of the amount required to maintain dye-color in neutral or alkaline systems" (page 17, lines 3-5). Likewise, pH has a beneficial effect on dye stability (page 27, Example III). Thus, the pH determines how long the dye lasts in the liquid composition (see page 27, Example III). The depletion of the dye-color is intended to signify that when the dye color disappears, around, for example, 100 ppm of chlorine remain in the liquid composition (see page 38, Examples XIXA and XIXB). Thus, when the dye disappears, the user is notified that the liquid composition needs to be replaced or replenished since enough time has passed that the cleaning ability of the bleach has likely decreased to an unusable point.

The cited references fail to disclose or suggest a composition in which the appearance of the color of the dye is pH controlled to indicate the amount of time that has lapsed since the chlorine activity began. The cited references relate to toilet cleaners that use the color of the dye to show to the consumer that the composition is present and/or to illustrate activity of the bleach. For example, Kitko et al. disclose the use of an oxidizable dye that is faded by the bleach to illustrate to the consumer the bleaching action of the bleach is at work in the toilet bowl (abstract, and col. 1, lines 21-25 and lines 60-63). Holdt et al. disclose use of dye to indicate that their composition is present (col. 2, lines 58-66, col. 3, lines 2-3 and 40-41, and col. 4, lines 54-55). Both Kitko et al. and Holdt et al. lack a pH control (see specification). Gladfelter et al. fail to even mention use of a dye. Thus, the newly presented claims are not obvious in light of these references.

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For at least these reasons, Applicants believe the newly presented claims are in form for allowance. Applicants respectfully request withdrawal of these rejections.

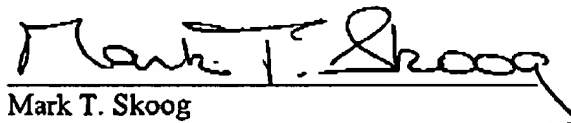
Summary

In summary, Applicants submit that each of claims 77-97 are in condition for allowance. The Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below, if the Examiner believes that doing so will expedite prosecution of this application.

Respectfully submitted,

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